



May 31, 2023

VIA ECF

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

**Re: In re Terrorist Attacks of September 11, 2001,
03 MDL 1570 (S.D.N.Y) (GBD) (SN)**

Dear Judge Netburn:

Defendants,¹ together with the Plaintiffs' Executive Committees (collectively, "Parties"), write in response to the Court's endorsement dated May 5, 2023 (ECF No. 9071), which granted the Parties' request (ECF No. 9069) for an opportunity to submit a joint status letter outlining next steps in light of Your Honor's ruling on the bellwether *Daubert* challenges.

The Parties have met and conferred and agreed that the most efficient way forward is for each side to submit additional *Daubert* challenges and for the Court to rule on those motions before moving to briefing on dispositive motions.

With respect to the briefing schedule for the additional *Daubert* challenges, subject to the Court's approval, the Parties agree as follows:

- Motions and opening briefs due: July 31, 2023;
- Responses due: September 15, 2023; and
- Replies due: October 16, 2023.

With respect to the page limits and number of briefs, the Parties have reached a compromise agreement. As to page limits, the Defendants' compromise proposal is for a 70-page limit (per side), with Defendants authorized to allocate the page limits between them either for one or two briefs. The PECs take no position as to whether 70 pages is needed, except that the page limits should be the same for the Plaintiffs as for the Defendants. Under this compromise proposal, responses also would have a 70-page limit per side, and replies would have a 30-page limit per side, both with similar agreement regarding allocation.

¹ For the purposes of this submission, "Defendants" means World Assembly of Muslim Youth and World Assembly of Muslim Youth International, International Islamic Relief Organization, Muslim World League, the four "Charity Officer Defendants" (Abdullah Omar Naseef, Abdullah bin Saleh al Obaid, Abdullah Mohsen al Turki, and Adnan Basha), and Yassin Kadi.

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Should Your Honor be inclined to limit the number of pages per side to fewer than the compromised amount, counsel for Defendants would request an opportunity to be heard so that we can submit a detailed explanation as to why we believe a total of 70 pages per side is necessary.

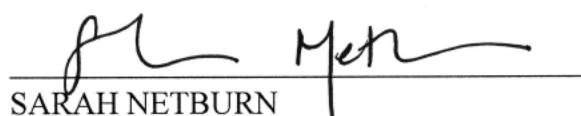
Respectfully submitted,



Aisha E. R. Bembry (admitted pro hac vice)
*Counsel for the Muslim World League, the
International Islamic Relief Organization, and the
Charity Officer Defendants*

The Court schedules a conference for Monday, June 26, 2023, at 4:00 p.m., to discuss the parties' proposed briefing schedule. At that time, counsel should dial into the Court's dedicated teleconferencing line at (877) 402-9757 and enter Access Code 7938632, followed by the pound (#) key. If this date is unavailable for any party, counsel must contact Courtroom Deputy Rachel Slusher immediately at (212) 805-0286. Among other things, the parties should be prepared to discuss what guidance they have taken from the Court's prior Daubert decision on their intention to challenge additional experts and how many experts they intend to move against.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

Dated: June 15, 2023
New York, New York